

**UNITED STATES, COMMONWEALTH OF MASSACHUSETTS
AND CONNECTICUT V. GENERAL ELECTRIC COMPANY (D. MASS.)
CONSENT DECREE
APPENDIX J**

EPA PEER REVIEW PROCESS-HOUSATONIC RIVER

The process for conduct of the Peer Reviews that have been agreed upon between EPA and GE on EPA documents/work products is outlined below. Such Peer Reviews will be conducted on at least the following five EPA documents/work products: the Model Framework Report, the Model Calibration Report, the Model Validation Report, the Human Health Risk Assessment for the Rest of River, and the Ecological Risk Assessment for the Rest of River.

Step 1 - Preparation and Distribution of Materials

- EPA and GE develop an Introductory Session script for the Peer Review Panelists, including a site tour and technical site history
- EPA puts out notice of opportunity for written comment on the issues defined in the Charge for the Peer Review of the EPA document to interested parties via an informal public notice. The notice for comment will define the terms of submission, i.e. the comments must be formatted to address each specific question in the charge individually. The comment period will be 30 days. Comments will be submitted to the Managing Contractor.
- The Managing Contractor will then provide the EPA document, background documents (as necessary), Charge, and all comments submitted to the Peer Review Panelists 1 to 2 weeks prior to the Introductory Session.

Step 2 - Pre-Peer Review Activities

- Managing Contractor will convene the Introductory Session for the Peer Review Panel (1 day) in Pittsfield, with an EPA and GE representative (with support staff as needed) present to respond to factual questions or provide factual clarifications.
The Peer Review Panelists will have a total review time of 75 days, including the 1 to 2 week period prior to the Introductory Session.
- The Peer Review Panelists can submit written questions on the materials to the Managing Contractor (Week 4), who schedules a meeting with EPA and GE to develop a response (collective if consensus, individual if not). Response is given to the Peer Review Panel at the start of Week 8 of the Review.
- One week prior to the Review, each Panelist will submit a preliminary written summary of his/her review to the Managing Contractor for distribution ONLY to the other Panelists for informational purposes.

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Step 3 • Peer Review Meeting

- The Peer Review Meeting will be convened in a public forum in Pittsfield. The Managing Contractor will run the meeting with formal facilitation. The Introductory Session of the meeting will include the Managing Contractor stating the Charge, listing the documents provided to the Peer Review Panel, including the written comments submitted, (comments that were submitted will be available to interested parties upon request), and outlining how the meeting will be conducted and the agenda for the meeting.
- The agenda will include an opportunity prior to commencing the Peer Review Panel discussion where the audience have equal and fair opportunity (EPA excluded) to present oral comment to the Peer Review Panel within a limited time span, defined per entity, and according to the time allocation on the agenda. GE will have a minimum of one hour to present such oral comment. The Peer Review Panelists will be entitled to ask questions of the oral presentors during each presentation/comment by an entity.
- The Peer Review Panel will commence discussion of the questions posed in the Charge as laid out in the agenda. No active audience participation will be allowed. If the Peer Review Panelists have a question in the course of the discussion, the Managing Contractor will take the question to caucus with an EPA and GE representative (and support staff as appropriate). The question will undergo expeditious review to determine if it is factual in nature or seeks a clarification (as opposed to calling for opinion or analysis) and if so, what the response is. If determined to be factual in nature or seeking a clarification, the Managing Contractor will provide the response to the Panel, if not, the Panel will be instructed to debate or otherwise handle the issue as they wish.
- The Peer Review Panelists will be instructed not to discuss the Peer Review Subject offline during the pendency of the Review with any interested parties, and will be discouraged from having internal discussion offline on issues associated with the Charge (which has the potential to deprive the audience of the benefit of the Panel debate in subsequent days).

Step 4 • Post-Peer Review Summary and Response

- Within 1 week of completion of the Review Meeting, the Managing Contractor will provide a draft summary of the Peer Review Panel discussion and audience/entity oral presentations to the Panel and commentors for factual correction where necessary. The Peer Review Panelists will provide final individual written comments to the Managing Contractor within 2 weeks. One month after completion of the Review Meeting, the final Meeting Summary and Peer Review Panel comments will be compiled by the Managing Contractor and made public.

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- EPA will then prepare a responsiveness summary responding to the comments, questions, and discussion points in the Peer Review Summary document and make any revisions to the EPA document it deems appropriate.